

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

3D SYSTEMS, INC.,

Plaintiff,

-vs-

Case No. 05-74891  
Hon: AVERN COHN

ENVISIONTEC, INC., ENVISIONTEC  
GMBH; and SIBCO, INC.,

Defendants.

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**APPOINTMENT AND ORDER OF  
REFERENCE TO SPECIAL MASTER**

This is a patent case. Currently pending before the Court is the first phase of the case, claim interpretation, the Markman proceeding. Because of the complexity of the subject matter it is ordered that:

1. The Markman proceeding shall be conducted by Robert Neuner, Esq. of New York City as Special Master to decide upon and recommend in writing the appropriate interpretation of disputed claim terms.
2. The Court has forwarded to the Special Master the relevant papers thus far filed relative to claim interpretation. These papers are listed in Exhibit A attached.
3. The Special Master shall confer with the parties to arrange a schedule for briefing and other matters.
4. Copies of papers filed with the Special Master shall also be filed simultaneously with the Clerk of the Court and served pursuant to applicable federal rules and a copy shall be simultaneously sent to the Court. Forwarding letters or informal

communications need not be filed, but should be served on the opposite party.

5. The Special Master may conduct meetings at a location(s) to be agreed upon by the parties and the Special Master. Any hearing by the Special Master shall be conducted in the Theodore Levin United States Court in Detroit.

6. A petition for review by the Court of the recommendations of the Special Master shall be submitted in writing within ten (10) days of receipt of the Special Master's report. Review of the recommendations of the Special Master by the Court shall be governed by 28 USC §636(b)(1)(B) and (C).

7. The Special Master may use law clerks or paralegals at his discretion and shall keep detailed records of his time and expenses. The Special Master shall render detailed monthly bills for all fees and expenses at the same rates ordinarily charged clients for his services, and such bills shall be paid promptly as follows: fifty percent (50%) by plaintiff and fifty percent (50%) by defendant. The monthly bills shall be submitted directly to counsel for the parties who shall take responsibility for prompt payment by their respective clients.

8. Objections, if any, to this order shall be filed within seven (7) days.

SO ORDERED.

Dated: February 20, 2007

s/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, February 20, 2007, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5160